

RIGHT-OF-WAY USE PERMIT APPLICATION

Public Works & Utilities
City Engineer's Office
City Hall, 7th Floor
455 North Main
Wichita, Kansas 67202

I request permission to _____

in the City right-of-way adjacent to my property addressed as _____

_____ in accordance with the enclosed plans, drawings, and/or photographs.

The legal description of my property at this address is as follows:

Lot: _____ Block: _____

Addition: _____

- or -

Metes and bounds description: _____

I agree to maintain liability insurance with the City of Wichita in the amount required by the City Attorney to hold the City harmless from any liability for personal injury or property damage, either public or private, that may occur due to the installation and maintenance of the encroachment (copy attached), and to abide by all other conditions imposed with this requested permit.

I understand that should it become necessary for the City of Wichita or any utility operating under a City franchise to work at this location, it shall be my responsibility to remove any or all of the encroachment if necessary, and to replace the same, if approved. Should damage occur to the encroachment during this excavation, the City of Wichita or utility operating under a City franchise will not be responsible for the repair or replacement thereof.

The \$125.00 administrative charge is enclosed. Upon approval of a right-of-way use permit for this use, I agree to pay the annual permit fee in accordance with City Code chapter 10.08.

The provisions contained herein are to be construed as covenants running with the land and may be enforced against any titleholder of the within described premises, so long as the encroachment contemplated by this permit is in existance.

This document creates a temporary, non-exclusive interest in real property and is not a construction contract governed by K.S.A. 16-21 as amended.

IN WITNESS HEREOF, the below signed parties hereto have caused this agreement to be executed in their names.

Sincerely,

Property Owner – Signature

Property Owner – Printed

STATE OF KANSAS, SEDGWICK COUNTY, ss:

BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, a Notary Public, in and fore said county and state, came _____ to me personally known to be the same person(s) who executed the within and foregoing instrument and duly acknowledged the execution of the same as the authorized act and deed of the Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last written.

Notary Public
My Commission Expires: _____

Owner Telephone Number

Date Submitted

Owner Address

Owner Fax

Owner City, State, Zip

Owner E-mail Address

APPROVED:

Gary Janzen, P.E., City Engineer

ATTEST:

Karen Sublett, City Clerk